

REMARKS/ARGUMENTS

Claims 1-6, 9-15, 18-21 and 24 remain pending in the present application. Of these claims, claims 1-6, 9 and 19-21 have been amended, while claims 7, 8, 16, 17, 22 and 23 have been deleted. No new matter has been added to the prosecution of this application.

For at least the reasons stated below, Applicants assert that all claims are now in condition for allowance.

1. 35 U.S.C. §102 Rejections

Claims 1-5, 8, 9-13, 16, 17-21, and 24 are rejected under 35 U.S.C. 102(a) as being clearly anticipated by Press release, "Kana and Weblin Team to Provide Industry's Most Comprehensive Online Customer Interaction Solution".

The Examiner asserts that *Weblin* discloses all of the limitations of the above claims. The Examiner considers claims 1-5, and 8, and applies the same rationale in the analysis and rejection of claims 9-13, 16, 17-21, and 24. However, Applicants oppose the rejection of claims 1-5, 8, 9-13, 16, 17-21, and 24 for the reasons stated below.

Weblin discloses an open-architecture method for companies to integrate the Internet commerce, service and telephony infrastructures of their customer service centers. See *Weblin*, page 2. The *Weblin* system discloses sales, specifically e-commerce sales, and related customer service. See *Weblin*, page 1. The primary objective behind the *Weblin* system is to use "each online customer interaction as an opportunity to solve problems and build relationships that result in increased sales." See *Weblin*, page 1. This is completely different than Applicants' invention, as claimed.

Applicants' invention is an Internet-based financial modeling and counseling system used to assist a plurality of individuals with planning and achieving their financial goals, as claimed. Applicants' invention operates within a web-based environment whereby users may receive both automated and live coaching and guidance regarding their financial decisions. The live coaching is via a coach and not a financial advisor; meaning the coach of the present invention is not licensed by the SEC as required for a financial advisor. Specifically, the present invention claims a method, system and program means for web-based communication regarding financial modeling and counseling, including automated financial coaching, display of a plurality of communication options with a live person, and a communication means whereby the assistant may provide live financial coaching. See *Preliminary Amendment*, August 13, 2001 (detailing method on pages 5-8 and Figures 2 and 3, system on pages 4 and 8-9 and Figures 1 and 4, and program on pages 9-22 and

Figures 5-14). The primary objective of Applicant's invention is to provide counseling and assistance such that user's may optimize their long-term financial goals, as claimed.

Applicant's invention is directly contrary to the teaching of *Webline* because the nature and type of information communicated and objectives behind the two systems are disparate. *Webline* discloses a system for increasing sales via a generic, web-enabled customer service center that focuses on optimizing sales transactions. This is not the same as the limitations of Applicants' claims, namely a system designed to assist users with long-term, continuous financial counseling and advising via automated and live web-based communications. With Applicants' invention, the user will have access to specialized, personal documents along with counseling from a trained individual to achieve their financial goals.

The outstanding Office Action refers to another reference, press release "Webline Communications' Products Selected By Trimark Investments To Increase Service On financial Advisor Web Site" (hereinafter "Press release") as being apart of the 102(a) rejection. Press release was not addressed in the previous response since it was not expressly cited in the 102(a) rejection. It appears to simply be cited for interest or a source of additional disclosure, but not a part of any rejection. MPEP 2131.01 is cited for using multiple references in 35 U.S.C. 102 rejections, to support the Examiner's actions. Applicants note the MPEP section, however, the 102(a) rejection in the outstanding Office Action fails to expressly cite more than one reference in the rejection. Press release is discussed in the remarks a couple of paragraphs below the rejection, but it is not apart of the expressed rejection. See paragraph 3.1 of the outstanding Office Action on page 5. However, in order to advance the prosecution of this application, Applicants will address Press release now.

Press release discloses a financial advisor website that provides a visitor with the ability to request 'an immediate telephone call from a representative.' In response to the request, a representative calls the website visitor on the telephone where in the representative and visitor can co-navigate the website and review the visitor's account information together. This is quite different than Applicants' invention as presently claimed. Applicants claims a web-based financial modeling system wherein a user is able to receive automated and live financial coaching, via transmitting streaming live video or still video clips over the Internet, to assist the user in their financial goals. This is beneficial to the user since they are provided a financial advising environment that is just like an in-person financial advising session. To the contrary, Press release only permits limited communication with an advisor via telephone, while the two parties view synched web

pages. Accordingly, Applicants assert that Press release fails to disclose, expressly or inherently, nor suggest all of the limitations of Applicants' current claims. Furthermore, Applicants assert that Press release fails to overcome or provide support to the deficiencies of *Webline*.

In summary, *Webline* and Press release, each alone or in combination, fail to disclose or suggest all of the limitations of claims 1-5, 8, 9-13, 16, 17-21, and 24 for the reasons stated above. Thus, the rejection of these claims is improper. Accordingly, Applicants request reconsideration and withdrawal of the 35 U.S.C. 102(a) rejection.

2. 35 U.S.C. §103 Rejections

Claims 6-7, 14-15 and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Webline* and further in view of *Schileru-Key*, U.S. Patent No. 6,388,688.

Claims 6-7, 14-15, and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Webline* and in further view of *Schileru-Key*, US Patent 6,388,688. The Examiner asserts that the combination of *Webline* and *Schileru-Key* discloses all of the limitations of the above claims. The Office Action considers claims 6-7 and applies the same rationale in the analysis and rejection of claims 14-15, and 22-23. Applicants oppose rejection of claims 6-7, 14-15, and 22-23 based on the rationale detailed below.

As stated in the 35 U.S.C. 102(a) rejection above, *Webline* fails to disclose all limitations as claimed in the present invention. The combination of *Webline* with *Schileru-Key*'s teaching of a computer system and method of operation to allow navigation and exploration of spatial environments to enhance the observer's "view of the real environment represented by the virtual environment" fails to remedy the deficiencies of *Webline*, as discussed in the rejection above. (See *Schileru-Key*, column 2, lines 13-15.)

As previously stated, *Webline* discloses a system for increasing sales at the transaction level via a generic, web-enabled customer service center. This is not the same as the limitations of Applicant's claims as set forth above. The distinguishing features of Applicant's invention are the user's access to specialized, personal documents and information along with counseling from trained individuals to achieve their financial goals.

The combination of *Webline* and *Schileru-Key* fails to disclose or suggest all of the limitations of claims 6-7, 14-15, and 22-23. Thus, the rejection of these claims is improper. Accordingly, Applicants request reconsideration and withdrawal of the 35 U.S.C. 103(a) rejection.

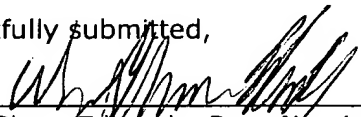
3. Conclusion

Applicants submit that all pending claims are allowable over the art of record, for at least the reasons discussed above, and respectfully request that a Notice of Allowance be issued in this case. If the Examiner believes that a conference would be of value in expediting the prosecution of this application, the undersigned can be reached at the telephone number listed below.

Should any additional fees be necessary, the Commissioner is hereby authorized to charge or credit any such fees or overpayment to Deposit Account No. 50-1901 (Reference #60021-375702).

Respectfully submitted,

By



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